

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

HARTFORD ACCIDENT AND INDEMNITY
COMPANY and FIRST STATE INSURANCE
COMPANY,

Plaintiffs,

v.

No. 4:08-CV-01687-CAS

THE DOE RUN RESOURCES CORPORATION
f/k/a ST. JOE MINERALS CORPORATION,

and

ZURICH AMERICAN INSURANCE COMPANY
as successor-in-interest to ZURICH INSURANCE
COMPANY, U.S. BRANCH

Defendants.

THE DOE RUN RESOURCES CORPORATION,

Counter-Claimant,

v.

HARTFORD ACCIDENT AND INDEMNITY
COMPANY and FIRST STATE INSURANCE
COMPANY,

Counter-Defendants.

THE DOE RUN RESOURCES CORPORATION'S
MOTION FOR REALIGNMENT AND TO DISMISS FOR LACK OF SUBJECT
MATTER JURISDICTION

The Doe Run Resources Corporation f/k/a St. Joe Minerals Corporation ("Doe Run") respectfully moves this Court for an Order realigning the parties and dismissing the

action for lack of subject matter jurisdiction. In support of this Motion, and pursuant to Local Rule 7-4.01, Doe Run respectfully submits the accompanying memorandum of points and authorities.

Dated: March 19, 2009

Respectfully submitted,

ABELSON | HERRON LLP

By: /s/ Marc D. Halpern

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Counsel for Defendant and Counter-Claimant

CERTIFICATE OF SERVICE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI – EASTERN DIVISION**

Hartford Accident And Indemnity Company, et al.

v.

The Doe Run Resources Corporation, et al.

District Court Case No. 4:08-cv-01687-CAS

I am over the age of 18 and not a party to the within action; I am employed by Abelson | Herron, LLP in the County of Los Angeles at 333 South Grand Avenue, Suite 1550, Los Angeles, California, 90071-1559.

On March 19, 2009, I served the document below described as:

**THE DOE RUN RESOURCES CORPORATION'S MOTION FOR
REALIGNMENT AND TO DISMISS FOR LACK OF SUBJECT MATTER
JURISDICTION**

The document was served by the following means:

- × **BY ELECTRONIC TRANSMISSION VIA NEF** I hereby certify that I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which sent Notifications of Electronic Filing to the persons at the e-mail addresses listed immediately below. Accordingly, pursuant to the Court's Local Rule 5-2.12, I caused the documents to be sent electronically to the persons listed immediately below.

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COMPANY

I declare under penalty of perjury under the laws of United States of America that the foregoing is true and correct.

Executed on March 19, 2009 at Los Angeles, California.

/s/ Marc D. Halpern

Marc D. Halpern

Certificate of Service *Cont.*

- × **BY U.S. MAIL** I enclosed the document in a sealed envelope addressed to the persons at the address listed immediately below and placed the sealed envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the said date, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelopes with postage fully prepaid.

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Counsel for Plaintiffs and Counter-Defendants,
HARTFORD ACCIDENT AND INDEMNITY
COMPANY; and
FIRST STATE INSURANCE COMPANY

I declare under penalty of perjury under the laws of United States of America that the foregoing is true and correct.

Executed on March 19, 2009 at Los Angeles, California.


Rachel E. Capata